

# NEWS



Fran Pavley  
Assemblymember, 41<sup>st</sup> District

A MONTHLY ELECTRONIC NEWSLETTER TO THE 41<sup>ST</sup> ASSEMBLY DISTRICT  
(Including Agoura Hills, Calabasas, Encino, Malibu, Hidden Hills, Lake Sherwood, Oak Park, Pacific Palisades, Port Hueneme, South Oxnard, Santa Monica, Tarzana, Topanga, Westlake Village, and Woodland Hills.)

## FEBRUARY 2006 EDITION

### What do you do with 500,000 *TONS* of e-waste?

That's what the State of California handles every year, and, as of February 9, Californians can no longer just casually toss any of it into their trash cans. Used household and rechargeable batteries, including small hearing aid and button batteries; old cell phones; TVs, printers, computers and monitors; fluorescent tubes; old-style mercury switches, gauges and thermostats, as well as novelties with mercury like musical greeting cards and pre-1997 shoes with flashing lights; aerosol cans that are not totally empty and contain hazardous materials; and other such items contain metals such as lead, mercury, cadmium and chromium. All can leak out in landfills and contaminate soil and groundwater. To protect the public health, the State Department of Toxic Substance Control has determined that e-waste items are hazardous waste, and it is now illegal to improperly dispose of hazardous waste.

To make it easier for people to properly dispose of these items, two of my bills that will become effective on July 1 begin to provide convenient alternatives. AB 1125 requires any retailer that sells rechargeable batteries to provide a spot in their store where consumers can drop off used rechargeable batteries. And AB 2901 similarly requires any cell phone retailer to provide a place where people can drop off old cell phones at no charge. In addition, AB 1369, which became effective January 1, requires manufacturers to produce thermostats that do not contain mercury. Honeywell, the primary producer, has informed me that all their new thermostats are mercury-free, having found a non-toxic alternative.

Every community is required to provide some household hazardous waste (HHW) collection opportunities. Most cities and counties have information on their websites as to where and when HHW collection events will be held. Also, Goodwill Industries is a state-authorized e-waste collector, so your local Goodwill store will accept your old electronics for recycling or proper disposal. To find out where you can dispose of e-waste items, go to [www.earth911.org](http://www.earth911.org), phone toll-free to 800-CLEANUP, or go to [www.zerowaste.ca.gov](http://www.zerowaste.ca.gov).



### Is California Going to "Green" the Planning for the Future of our Growing State?

This year is going to be marked by some very serious discussion of how we are going to meet the long-term needs of a state that is growing at 500,000 new residents every year. As a component of his proposed 2006-07 state budget, Governor Schwarzenegger also proposed his "Strategic Growth Plan," which is a 10-year funding plan to improve state infrastructure. Areas of proposed improvement include transportation, education (both K-12 and higher ed), flood control and water supply, public safety and

the courts, and other public service infrastructure. The price tag would be \$222.6 billion from a mix of existing revenues and assumptions, one new source, and \$68 billion in new bonds.

In general, the Democratic Caucus is concerned about the size and duration of the bonds. In addition, the Governor's proposal does not address other important and competing bond priorities, such as libraries, parks, affordable housing, and seismic retrofit of our hospitals. We all agree that education and transportation are two of the state's highest priorities. A smaller, and more fiscally prudent, bond package will likely be placed on either the June or November ballot.

I do believe that it's critical that we start "greening" our thinking as we begin to do that long-range planning across the entire gamut of our needs. Here is a summary of a presentation that Speaker Nunez asked me to make to the Democratic Caucus earlier this month. Many of the categories are the same as those in the \$68 billion in bonds that are part of the Governor's funding proposal, but "greener."

### Education

*The Governor proposed almost \$60 billion in new school construction or modernization projects. All such projects should include solar panels and sustainable "green" building design. Lowered energy costs will save money for school districts, and improve air quality and reduce greenhouse gas emissions. More trees on campus and more permeable surfaces will help replenish aquifers and reduce runoff. Andy Lipkis, Executive Director of TreePeople, has a wonderful multiple-objective project at a school in the San Fernando Valley, which shows what can realistically be done. For more information, you can go to TreePeople's website at [www.treepeople.org](http://www.treepeople.org).*

*A representative from the Governor's office met with me last week, and left with a green folder of suggestions from Antonio Villaraigosa, Mayor of the City of Los Angeles, the Collaborative for High Performance Schools, and from TreePeople.*

### Affordable Housing

*The Democratic Caucus felt that a portion of any bonds should go toward providing affordable housing, especially for targeted needs such as transitional housing and domestic violence shelters. In addition, "green" building design incentives can help low-income families save on utilities, which often is their highest expense after rent.*

### Parks and Open Space

*I have been hearing from my district on this one. The Governor did not propose any funds for our state parks, urban parks, conservancies, the Wildlife Conservation Board, or conservation easements. Past voter-approved bond proceeds will run out within the next 1-2 years. The State Parks Department has a \$1 billion backlog of deferred maintenance, and the state conservancies are missing opportunities to protect key open space land from development. Funding for urban parks and underserved rural communities is essential to provide safe places for children to play, and to help reduce the obesity epidemic and other health problems.*

### Water and Levees

*The Governor proposed \$35 billion for flood control and water. We need to focus more on cleaning up our water and recharging our aquifers, not just building surface storage. We also need to provide grant money to local governments to help them comply with Federal and state water quality mandates, as well as grants for conversions from septic systems to sewers to help meet the Federal Clean Water Act.*

### Transportation / Air Quality

*More funding for mass transit and to encourage ridership vs. the Governor's focus on widening freeways and constructing toll roads. The Governor also proposes diverting money that now goes to local government for local roads and maintenance. Investments in alternative fuels and technology. Replacement or retrofitting of diesel school buses to reduce asthma rates in our children. Anti-litter and stormwater runoff programs from roads and freeways. Legislative oversight of clean air improvements.*

**Below are some additional concerns I have with the Governor's bond proposals:**

1. *There is a need for more review of the role of the state in funding private sector improvements. I'm also concerned that the State -- not the local transportation agencies like the MTA -- will set the priorities and identify the projects.*
2. *The proposed 6% ceiling on the debt service would limit the Legislature's ability to react to unanticipated and unforeseeable things like natural disasters.*
3. *The Governor's proposal does not include multi-objective projects, which should be encouraged, to provide multiple benefits - ex., to air and water quality, recreation, open space, etc.*
4. *The "continuous appropriation" to disburse bond funds severely limits legislative oversight and gives state agencies carte blanche to create funding priorities without reflecting legislative priorities.*

These are enormous challenges, but it is past time to begin. A Conference Committee made up of three Assemblymembers and three State Senators has begun meeting to start negotiating a bond package. March 10 is the deadline for any bond to be placed on the June 6 ballot.

## Orange Line Bus Service Gets Good Review

Last month, in my initial report on release of the Governor's "Strategic Growth Plan," I raised the questions of whether transportation dollars should be spent widening freeways? or on transit projects to get people out of their cars? One of my constituents from Calabasas took the time to respond and share her experience on the new MTA Orange Line bus. "This week I needed to go downtown daily to attend a teacher training program at the Wilshire Grand Hotel," she said. "I parked in the lot across the street from Pierce College and then caught the Orange Line at about 7:00 a.m. I reached North Hollywood around 7:30, boarded a Metro and arrived at about 8:15 downtown. The entire process was painless." She also reported that less than half the parking spaces at the Pierce College station were taken, so this is a great place to leave your car. I hope that hearing this kind of positive testimonial will encourage more people to try this new and relaxing cross-Valley transit option. I have, and it works exactly as intended.

## Tu B'Shvat

It's always a pleasure to participate in the yearly Tu B'Shvat, the 15<sup>th</sup> day of the Jewish month of Shvat. It amounts to the New Year for Trees. This year I celebrated with the Coalition for the Environment and Jewish Life (COEJL), TreePeople, and the City of L.A. by planting new trees at the Westwood Recreation Center. Over 150 people of all ages were there to lend a hand and to enjoy the unseasonably warm and sunny day. Andy Lipkis, Executive Director of TreePeople spoke of the importance of trees in urban settings, while Lee Wallach, Chair of COEJL, stressed the moral duty we all have to support and protect the environment.



Andy Lipkis, Paula Daniels, Assemblymember Fran Pavley, Lee Wallach



# 2006 Legislation

Over the next several weeks, I'll be finalizing my legislative package for this year. Below are three bills that will be important.

## California Climate Act of 2006

Since the Federal government will not act -- the U.S. has still refused to sign on to the Kyoto Protocol or to establish our own reduction targets -- and since California is very serious about the need to reduce the percentage of greenhouse gases emissions released into our atmosphere, my highest priority bill this year will be AB 32, enacting the *California Climate Act of 2006*.

The world's leading scientists, including the National Academy of Sciences from 11 nations, have definitively established that human activity in the form of greenhouse gas emissions is changing the global climate, with consensus estimates of an average increase in temperature between 2 and 10 degrees by the end of the century. The impacts of climate change include the likelihood of a rise in sea level around the world that could displace tens of thousands of coastal residents, changes in weather patterns that will cause the early melt of the mountain snowpack that could negatively affect water supplies and food production, increases in disease outbreaks and heat-related deaths in some areas, and degradation of air quality, among other worldwide impacts. Third World countries and lower-income populations will likely be the ones to have to absorb or adapt to most of the impacts.

A 2004 study by the Union of Concerned Scientists indicated that, without controls on greenhouse gas emissions, California's summer temperatures could increase by as much as 10 degrees annually in some parts of the state by 2100, resulting in:

- increased mortality among the elderly and other vulnerable populations,
- increased respiratory illness,
- a profound transformation of the landscape, including the potential wipeout of several animal species,
- increased disease and death from insect-borne illnesses,
- loss of the annual Sierra snowpack and related water supply problems,
- rising sea levels that could impact coastal cities, towns, and valuable coastal wetlands,
- changes in agricultural production,
- and a dramatic increase in state energy needs to keep parts of the state habitable in the summer.

### *Clearly, we must act.*

Just a week ago, Senator Sheila Kuehl and I were invited to meet with seven members of the French National Assembly to discuss what they are doing, not only to reduce CO2 and other greenhouse gas emissions from entering the atmosphere, but also how France will adapt to the change. It was a very interesting and frank exchange on the economic costs to our own countries and the economic impacts on poorer nations. France, along with many other countries, looks to California to be a partner in the effort to reduce global greenhouse gas emissions.

AB 32 will require, on or before January 1, 2008, that the Secretary of the California EPA implement by regulation a greenhouse gas emissions cap for the electrical power, industrial, and commercial sectors of the California economy, based on CO2 equivalence.

For example, the bill has two primary goals:

1. Institute a statutory cap on greenhouse gas emissions in California from stationary sources to provide certainty in achieving emission reductions.
2. Require a mandatory and enforceable tracking and reporting system for greenhouse gas emissions.

AB 32 will also require mandatory reporting of greenhouse gas emissions from utility plants and large industrial facilities. It is important first to establish and identify a baseline in order to then set a cap and meet future reduction targets.



Photo: Russell Stiger

## Whistleblower Protection

There is nothing more fundamental to our democracy than that our government be as transparent as possible, especially when there is evidence that wrongdoing has occurred.

Under the current state of the law, government attorneys who learn of government misconduct risk loss of their licenses to practice law if they “blow the whistle.” This actually occurred in 2001 when a Department of Insurance attorney risked not only her job, but her license to practice law, after she reported serious misconduct by the former Insurance Commissioner. Although the State Bar ultimately exonerated her and she was reinstated in her job, the Bar’s decision was expressly limited to her case and in no way established that government attorneys are covered by California’s whistleblower laws.

My bill, **AB 1612**, will clarify that whistleblower protections do extend to government attorneys, allowing them to expose government misconduct quickly when they have a reasonable belief that it has occurred. It is essentially the same bill that the Governor vetoed in 2004. However, given recent headlines involving political corruption, it is my hope that the Governor will sign my bill this time. No one should fear loss of their livelihood for exposing misconduct.

AB 1612 has passed out of the Assembly and is now in the Senate. A letter or e-mail to the Governor would be very helpful.

## Teacher Recruitment and Retention Act of 2006

California is facing a serious teacher shortage, anticipating the need for 100,000 new teachers over the next 10 years. We’re going to start losing experienced teachers. Of our 306,000 teachers, almost one-third are over age 50, and we’re not bringing in nearly enough new teachers. In fact, enrollment has been dropping in our teaching-preparation programs -from 76,000 in 2002 to 67,500 in 2004 - and half of our new teachers quit within the first five years! We’re going in the wrong direction.

We need to find ways to attract people to teaching as a profession, and to create incentives to get the most experienced teachers into low-performing schools. Among other things, this bill will include:

- Loan forgiveness for teachers who commit to working in a high-priority school for two or more years.
- A “Teach California” website to be developed which will inform current and prospective teachers of mortgage assistance and other incentives available to them.
- A streamlined credential process for out-of-state teachers.
- Restoration of funding for teacher training and mentoring programs, such as the Peer Assistance Review program to ensure that beginning teachers get the mentoring from experienced teachers that they need.

If you have any ideas on how to attract and retain quality teachers, I’d very much like to hear from you. You can e-mail me at [Assemblymember.Pavley@assembly.ca.gov](mailto:Assemblymember.Pavley@assembly.ca.gov).

## February Sustainable41 Business Recipient

I was very pleased to present this month’s Sustainable41 business award to Santa Monica-based car service, ECOLIMO. With a fleet of chauffeured Toyota Prius hybrid vehicles that serves the greater Los Angeles area, ECOLIMO has incorporated environmentally-friendly practices into their daily operations.

Also, my thanks to Toyota of Santa Monica for providing a location for me to meet ECOLIMO founder, Y. Fray, her proud mother Femma Mahdessian, and driver Kareem Sharif.



*Y. Fray and Assemblymember Pavley*

## Update – Hybrid Vehicles Use of HOV Lanes

In 2004, I authored AB 2628, a bill that allows specified ultra-low emissions hybrid vehicles, that achieve 45 mpg or greater, use of the high-occupancy vehicle (HOV) lanes without having a second person in the car. The goal was to provide an incentive for people to choose these efficient clean cars. 75,000 decals were authorized to be issued by the DMV, and the program has been a great success.

As of the end of January, 44,000 decals have been issued. When 50,000 have been issued, which is estimated to be some time this spring, Caltrans will do a mandated review to look at any impact of the program on the flow of traffic in the HOV lanes. They will have 90 days to complete the review, during which time the DMV will continue to issue decals.

Information on which vehicles qualify and the application to apply for a decal can be found on the DMV website at [www.dmv.ca.gov](http://www.dmv.ca.gov).

## PCH Bicycle Safety

Pacific Coast Highway is one of the most beautiful and most heavily traveled routes in my district. Especially in the areas of Pacific Palisades and Malibu, it is also challenged by a myriad of competing uses by local residents and businesses, millions of beach visitors annually, regional travelers up and down the coast, pedestrians, and vulnerable recreational and sport bicyclists. Accidents are unfortunately all too common as cyclists and vehicles compete for space along the highway, including at “pinch points” where the road narrows for a variety of reasons.



Senator Kuehl's office has headed up a taskforce on PCH bicycle safety for years, which includes a wide range of interested parties -- law enforcement, local government, Caltrans, the MTA, and representatives from cycle clubs and the public. My office is very involved in the work of the Taskforce, which has met twice over the past several months to try and improve several problematic conditions.

### Shoulder and Road conditions

Caltrans is going to inventory all “pinch points,” such as sudden elimination of a traffic lane, to determine whether and how the impact can be mitigated. And representatives of all departments that issue permits for work projects along PCH have been encouraged to meet as soon as possible to develop procedures regarding placement of dumpsters and construction equipment that impinge in the bike lanes to the extent possible.

### Signage

There was generalized agreement on the need for signage that will actually alter driver behavior regarding sharing the roadway with cyclists. The Taskforce has recommended that Caltrans adopt new “Share the Road” signage, along with reintroduction of “Watch for Bicycles” signs at pinch points, sharp turns and construction sites.

Senator Kuehl's office will also be doing a comprehensive review of the state's role in educating drivers on bicycle safety, including via drivers' exams. I suggested a number of other education/awareness options, including public service announcements, ads in movie theatres, adding the issue to senior driver workshops and municipal bicycle rodeos, more press, and working with traffic schools and private driving schools. And both Senator Kuehl and I will be mindful of the need to include state funds in the proposed “greener” infrastructure bonds to provide safe bike paths and bike routes.



## Come and Visit our Beautiful State Capitol

This month I enjoyed a visit from Pacific Palisades resident and Democratic Club President Joe Halper, along with his wife Arline and their granddaughter. The Halpers are long-time residents of the Palisades.

Please consider visiting our beautiful and historic State Capitol in 2006. Floor sessions are on Mondays at noon and Thursday mornings, with policy committee hearings generally scheduled Monday, Tuesday and Wednesday through September 1. Contact my Capitol Office at (916) 319-2041 or e-mail my scheduler, Tisha Simpson at [Tisha.simpson@asm.ca.gov](mailto:Tisha.simpson@asm.ca.gov), to set up a special VIP tour.

If you have time, you could also plan short trips to Sutters Fort, Old Town Sacramento, and the California Railroad and other museums, all of which are very nearby.



## Only in Topanga ...

Unique, independent and close-knit, and nestled in the Santa Monica Mountains is the community of Topanga -- one of my favorite places to visit in the 41<sup>st</sup> AD.



*Mollie Hogan and "Envy"*

I had the honor of installing the new Board of Directors for the Topanga Chamber of Commerce this month, and was pleased to present recognitions from the California State Assembly to some special honorees. With hundreds of candles flickering and a roaring fire in the large stone fireplace, delicious gourmet hors d'oeuvres were served to well over 100 Topangans in the historic (and somewhat infamous) Mountain Mermaid.

- Chamber President David Green and the 2006 Board were installed.
- Karla Morrison was honored as their "Citizen of the Year."
- Topanga Lumber Company was honored as "Storefront Business of the Year."
- Mollie Hogan, The Nature of Wildworks, was honored as Home-based Business of the Year.

My staff and I attend roughly ten chamber installations each year throughout the 41<sup>st</sup> AD. Only in Topanga, however, would one of the award winners be accompanied by a full-grown mountain lion named "Phoenix" that shared the stage with her. Thanks, Mollie!

## Assemblymember Pavley's Committee Assignments

Budget Committee  
Education Committee  
Transportation Committee  
Water, Parks and Wildlife Committee  
Chair, Budget Subcommittee #3 on Resources  
Chair, Select Committee on Air and Water Quality  
Select Committee on Runaway Production  
Select Committee on Ports  
Select Committee on Title IX  
Joint Committee on Emergency Services and Homeland Security  
Legislative Advisory Committee - Wildlife Conservation Board  
Legislative Advisory Committee - California Coastal Conservancy  
Santa Monica Mountains Conservancy Board  
Member, Santa Monica Bay Restoration Commission  
Member, Commission on the Status of Women

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